

STATE OF MAINE  
PUBLIC UTILITIES COMMISSION

DOCKET NO. 2000-425

NOVEMBER 26, 2001

KMC TELECOM V, INC.  
Petition to Amend Local Exchange Authority  
To Include Verizon's Portland Exchange

ORDER APPROVING ADDITIONAL  
LOCAL EXCHANGE SERVICE  
TERRITORY

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On November 2, 2001, KMC Telecom V, Inc. (KMC#V) filed a petition to expand its facilities-based local exchange service to areas beyond those authorized in our order granting authority to provide service in this docket.

On March 30, 1999, in Docket No. 99-187, the Commission delegated to the Director of Technical Analysis the authority under 35-A M.R.S.A. §§2102 and 2105 to approve service territory changes by local exchange carriers.

For local exchange carriers (LECs) seeking to provide facilities-based local exchange service, the Director must initially make a determination that a LEC has made a reasonable showing that it will be providing facilities-based service to the area in question within six months.

The Commission staff has reviewed the plans of KMC#V and has determined that it has made a reasonable showing that it will be providing service within six months in the areas listed in the ordering paragraphs below.

Accordingly, we

1. I find, pursuant to 35-A M.R.S.A. §§ 2102 and 2105, that the public convenience and necessity requires the provision of additional facilities-based local exchange telephone service in the Portland area, also served by another telephone utility, and hereby authorize KMC#V to provide facilities-based local exchange service in the area defined as the Portland exchange of Verizon New England Inc. d/b/a Verizon Maine.

Dated at Augusta, Maine this 26<sup>th</sup> day of November 2001.

BY ORDER OF THE ACTINGIN DIRECTOR OF  
TECHNICAL ANALYSIS

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Faith Huntington

## Acting Director of Technical Analysis

## NOTICE OF RIGHTS TO REVIEW OR APPEAL

5 M.R.S.A. § 9061 requires the Public Utilities Commission to give each party to an adjudicatory proceeding written notice of the party's rights to review or appeal of its decision made at the conclusion of the adjudicatory proceeding. The methods of review or appeal of PUC decisions at the conclusion of an adjudicatory proceeding are as follows:

1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

Note: The attachment of this Notice to a document does not indicate the Commission's view that the particular document may be subject to review or appeal. Similarly, the failure of the Commission to attach a copy of this Notice to a document does not indicate the Commission's view that the document is not subject to review or appeal.